

REMARKS

Claims 32-55 are pending prior to entry of this response. Claim 52 is withdrawn with traverse. Accordingly, claims 32-51 and 53-55 remain pending for examination on the merits.

Restriction Requirement/Election

Claims 32-55 stand subject to a restriction requirement in which the claims were grouped by the Examiner as follows:

Invention I – Claims 32-51 and 53-55

Invention II – Claim 52

Invention I is elected for examination, with traverse.

The basis for the restriction is that “[i]nventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants ...” Here, claims designated by the Examiner as included in invention I and invention II do indeed overlap in scope. Claim 52 of designated invention II is directed to a system comprising a transparent encryption appliance that overlaps in scope with the system of claim 44 of designated invention I. Claims 44 and 52 comprise similar elements, including a transparent encryption appliance. In claim 44, a processor of the appliance secures data by identifying sensitive data of a data transaction received through a network interface; securing it by encrypting, hashing, or keyed hashing; replacing the sensitive data in the transaction with the secured sensitive data; and providing the transaction with secured data to a web server for storage. In claim 52, the sensitive data is a password, and the password is secured in the same manner. Thus, claim 52 and claim 44 overlap in scope.

The difference between the two designated inventions pertains to what is done with the secured data of claim 44 versus the secured password of claim 52. Secured data, such as credit card information for example, needs to be unsecured for use, and claim 44 provides for unsecuring secured data. In contrast, a secured password need only be compared to a previously stored value for authentication purposes, and claim 52 provides for comparing a secured password to a previously stored secured password.

Furthermore, claim 52 of designated invention II overlaps in scope with at least designated invention I's claim 32 directed to a transparent encryption appliance, and claim 53 directed to a method of protecting data stored in a web server environment. In claim 32, a processor of the appliance secures data by identifying sensitive data of a data transaction received through a network interface; securing it by encrypting, hashing, or keyed hashing; replacing the sensitive data in the transaction with the secured sensitive data; and providing the transaction with secured data to a web server for storage. In claim 52, the sensitive data is a password, and the password is secured in the same manner. Thus, claim 52 and claim 32 overlap in scope.

In claim 53, a method of protecting data stored in a web server environment comprises receiving a data transaction containing sensitive data; identifying sensitive data; securing it by encrypting, hashing, or keyed hashing; replacing the sensitive data in the transaction with the secured sensitive data; providing the transaction with secured data; and storing the provided secured data in a database. In claim 52, the sensitive data is a password, the password is secured in a similar manner. Thus, claim 52 and claim 53 also overlap in scope.

Accordingly, Applicant has withdrawn claim 52 with traverse. Applicant respectfully submits that the inventions as defined by the Examiner do indeed overlap, and therefore restriction for examination purposes is not proper. Applicant respectfully requests that the restriction be withdrawn.

Respectfully submitted,

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